

The demise of the Parliament's Political and Constitutional Reform Committee: executive power is again predominant

By Democratic Audit UK

*Just how strong is the Conservatives mandate? With only 24.7% of eligible voters opting to support them, perhaps not as strong as their majority might suggest. One of their first moves has been to abolish the House of Commons Political and Constitutional Reform Committee, a key organ of democracy in the struggle to improve British democracy. Here, the most recent Chair of the Committee **Graham Allen MP, Martin Smith, and Dave Richards** argue that the whole affair illustrates an indulgence of executive power over the legislature.*



Credit: UK Parliament

[Brian Barry](#) suggested that: ‘...there has been a massive rise in the incidence of sanctimony and smugness among the successful that has nothing to do with any change in the underlying reality... It has been stimulated by politicians who have realised that it is possible to win power by recruiting the most...successful forty per cent or so of the population in a crusade to roll back the gains made by their fellow citizens in the previous forty years.’ Written fifty years ago, the spirit, if not the empirical accuracy of this sentiment, still holds true. The Conservative Party have returned to power with an outright, yet slim majority.

The turnout, though slightly up on previous elections at 66%, saw the Conservatives secure a 36.9% share. Read another way this means that only 24.7% of those eligible to vote did so for the new governing party. The Westminster model was of course, always designed to deliver out right winners thanks to the machinations of the first-past-the post electoral system. In 2015, it can certainly be said to have done its job. But in an increasingly anti-political age, with a growing sense of cynicism with the ways and means of the Westminster system, it might be argued that a new government with such a precarious majority would be well served by operating with a public show of humility, not hubris.

Yet despite the slim majority and lowish share of the vote, David Cameron has been quick to proclaim a mandate to implement his Party's manifesto in full. The Prime Minister and his new ministerial team are, it appears, masters of all they survey. Their new monopoly is clearly symbolised in the decision not to re-establish the Political and Constitutional Reform Select Committee [PCRC]. As we have [argued elsewhere](#), Britain, in constitutional terms, is about to enter into a potentially turbulent period. The highlights of an extensive list of pressure points includes: the future make-up of the Union of the United Kingdom; the programme of devolution in England based on a ‘City's Model’, alongside a tacit agreement to move towards a more federalist settlement to accommodate English votes for English laws; the proposal for a new Bill of Rights to replace the European Convention on Human Rights; the possibility of an exit from the European Union; and the unfinished business of House of Lords reform.

Rejecting a constitutional committee, the government has removed what many have seen as the most logical, appropriate and non-partisan forum for exploration and analysis of the core constitutional issues of the UK. This opens up the opportunity that major constitutional change could occur in Britain in the absence of proper select committee scrutiny

By 2020, the nature and make-up of the British political system may be very different. The potential scale of change in constitutional terms is likely to be sizeable and with it, long-term ramifications for the way in which we are governed. Safe navigation through what is sure to be a series of divisive debates requires on the part of the Government an antenna attuned to seeking out consensus. What is also crucial to this process is ensuring that effective mechanisms of scrutiny and accountability are at play to curtail the predictable excessive ambitions that undoubtedly will emerge within certain quarters of the government.

But here is the rub. One of the core criticisms of the informal rules of the game associated with the [Westminster model](#) is the extent to which it delivers an [uneven battle](#) between the Executive [Government] and Legislature [Parliament]. No more clearly has the potential for this to materialise than when a government with a slender majority seeks to embark on a programme of constitutional reform on a scale not witnessed since the partition of Ireland a century ago. It is within this context that the decision by the government not to allow for the continuation of the work done by the one committee exclusively dedicated to scrutinising constitutional and political reform, the PCRC, appears at best somewhat myopic and at worst, a cynical move that does not bode well for the health of our democracy during the course of this Parliament.

As [already suggested](#), the Government has nothing to fear from a proper partnership with Parliament. Careful all party pre legislative scrutiny of its proposals will make for better law. Ramming proposals with potentially enormous Constitutional ramifications through a Parliament unequipped with a dedicated all-party Select Committee could leave large areas neither discussed nor debated. A full five-year Government has plenty of time to get its legislation through properly, and a one party Government should be especially sensitive to ensuring Parliament is consulted adequately. If Parliamentarians but also those beyond the Westminster belt, let this pass without comment it may well encourage Whitehall officials to propose other Executive curbs to row back the gains made by the last Parliament.

The rights of all of us are at stake here. The debate over what [Richard Crossman](#) in 1939 referred to first as the 'authoritarian' character of British Democracy and forty years later by [Lord Hailsham](#) as an 'elective dictatorship', should by now have long been put to bed. And yet there is a sense of fore-boding that the anti-politics tide is unlikely to recede over the course of this Parliament, when the actions of the Government appear to be set on curtailing the already fragile accountability mechanisms available to check the power of an executive governing with a Parliamentary majority of only 12.

The problem here is many fold. Fundamentally, both Labour and Conservative still believe that a majority of seats means a monopoly of power. But like Bourbons 'they have remembered nothing and they have forgotten nothing'. The Conservatives have interpreted their slim electoral 'victory' as solving their political problems and allowing them to reshape the constitution – through boundary changes and English votes- that entrenches power (in England at least). What they forget is that it is in their interest to secure legitimacy of government and tackle the perception, fermenting anti-political sentiment, that Britain is governed by what is euphemistically referred to as an 'out-of-touch Westminster elite operating in its own bubble'

By changing the constitution through an increasingly [anachronistic majoritarian process](#), the alienation of the electorate will continue. In 2015, despite the apparent close nature of the election, turnout remained low, nearly 4 million voted for UKIP and the Westminster parties were rejected in Scotland. Reforming the constitution without really engaging the views of all sectors of society is not going to reinvigorate our democracy and tackle the [cynicism about](#) the way in which Westminster goes about its politics.

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